

A message was received from the House, informing the Senate that the House had passed a bill (originating in the Senate) to create the 16th Judicial District and define the time of holding courts therein, with amendments.

On motion of Mr Allen, the bill was taken up and amendments concurred in.

On motion of Mr Hill, the resolution passed by the House to appoint a joint select committee to make arrangements for the inauguration of the Governor and Lieut. Governor elect, was taken up and a committee ordered to be appointed on the part of the Senate.

Messrs. Bryan, Pirkey, and Superviele were appointed said committee.

A bill for the relief of the Buffalo Bayou, Brazos and Colorado Railway company, or their assignees in certain cases, together with the substitute offered by Mr Taylor of Fannin, was read and substitute adopted.

On motion of Mr Palmer, the bill was amended by striking out "June 1856," and inserting "January 1857." The bill was then ordered to be engrossed.

On motion of Mr McCulloch, the rule was suspended, bill read a third time and passed.

A bill for the relief of Valentine T. Dalton, read third time and passed.

A bill for the relief of the heirs of John Baily; read third time and passed.

A bill for the relief of James Lamb; read third time and passed.

A bill for the relief of Ira B. Dement; read third time and passed.

On motion of Mr Martin, the Senate adjourned till 9 o'clock, A. M., to-morrow morning.

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#### WEDNESDAY, December 19th, 1855.

The Senate was called to order pursuant to adjournment.

Prayer by the Chaplain—roll called—quorum present. The Journal of yesterday was read and adopted.

A message was received from the House informing the Senate of the adoption of the following resolution:

*Resolved,* That with the concurrence of the Senate, a committee of five, three from the House and two from the Senate be appointed by the presiding officers of each House, whose duty it shall be to visit the Penitentiary at Huntsville, and examine into the condition of the same and report to the legislature during its present session.

Committee on the part of the House, consisting of Messrs. Kittrell, McCown and Crabbe.

Mr Millican presented the memorial of Wm. Oldham; referred to the committee on claims and accounts.

Mr Martin presented the memorial of J. C. Wells and H. Mitchel, administrators of David R. Mitchel; referred to the committee on the Judiciary.

Mr Caldwell presented the petition of Phillip Howard; referred to the committee on public lands.

Mr Potter, chairman of the committee on the Judiciary, to which was referred a bill to be entitled an act to change the mode of holding the courts in the 13th Judicial District," reported the same back with a substitute therefor, recommending the adoption of the substitute and the passage of the bill.

Mr Superviele, from the committee on the Judiciary, made the following report:

The committee on the Judiciary to which was referred the petition of Jose De Jesus Rodriguez, praying for relief, have considered the same and find from the evidence that the petitioner was the legitimate child and sole heir-at-law of Jose De Jesus Rodriguez and Juana Trevino his wife; that said petitioner was born in San Antonio at the beginning of the year 1835 and has always been a resident of this State; that his father the said Jose De Jesus Rodriguez, was a citizen of the State of Texas, on the day of the declaration of Independence, and a head of a family; was entitled to a league and labor of land; that it appears from a certificate delivered by the General Land Commissioner, that there is no evidence on file in his office that said Jose De Jesus Rodriguez ever obtained a title from the State of Coahuila and Texas, nor a certificate of the first or second class recommended to him, or other evidence that he obtained a head right from the Republic or State of Texas; that the said Jose de Jesus Rodriguez volunteered his services in favor of the liberty and independence of the country; that he took an active part in the war from its beginning; that he was at the storming of Bexar, and continued in the service of the Texan Army till he was killed at the crossing of the Colorado in the month of May 1836; that the petitioner was left an orphan and that as such he is lawfully entitled to all the rights of which his deceased father was possessed at the time of his death, under the 10th section of the general provisions of the constitution of the Republic of Texas; that the petitioner was yet a minor, when the board of land commissioners was closed, and that by reason of his minority he was unable to assert his rights at the proper time, and before the proper authority; that under these circumstances he cannot go elsewhere than to the Legislature for relief.

From these considerations the committee have instructed me to report the accompanying bill and recommend its passage.

A bill for the relief of the Heirs of Jose Maria Rodriguez: read first time.

Mr Russell from the committee on private land claims, No. 2 to which was referred the petition of Benjamin Bryant, reported a bill for his relief and recommended its passage.

A bill for the relief of Benj. Bryant; read first time.

Mr Hill, from the committee on private land claims, made the following report:

The committee on private land claims no. 1, to which was referred "a bill supplementary to an act for the relief of James W Magoffin and Hugh Stephenson" and a bill for the relief of Simeon Hart, have considered the same.

The committee are satisfied from the evidence before them, that the locations of the certificates for the amount of land, named in the above named bills was made long before the creation of the "Pacific Reserve," but that owing to the fact that patents of lands on the Rio Grande were prohibited from issuing on the terms of an act providing for the investigation of land titles west of the Nueces river, approved ————, and the additional fact that for a long time the office of District Surveyor in the El Paso land district was vacant, so that the filed notes to said lands could not be returned to the General land office. The committee are satisfied that these individuals have used every effort to perfect their titles to these lands, that they are in the peaceable and undisputed possession of the same; under all the circumstances, your committee are of opinion that the subject is a proper one for the extension of relief. I am therefore instructed to report said bills back to the Senate, recommending their passage.

Mr Scott, chairman of the committee on public lands, made the following report:

The committee on public lands, to which was referred a bill to define in part the fifth Senatorial district, have considered the same and find that the counties of Johnson and Parker, which are proposed by the bill to be added to the fifth Senatorial district were created in part from the territory which belonged to and formed a part of the 18th Senatorial district; and as the constitution of this State in the 34th sec. of the 7th Article, provides that "every new county as to the right of suffrage and representation, shall be considered as part of the county or counties from which it was taken, until entitled by numbers to the right of separate representation," and your committee, entertaining the opinion that to pass the bill would be a violation of said pro-

visions—therefore the committee report the bill back, recommending its indefinite postponement.

Mr Hill, from the committee on private land claims, made the following report :

The committee on private land claims, no. 1, to which was referred the petition of the heirs of Henry Applewhite, have considered the same and find that said Applewhite emigrated to Texas in the year 1833, and that he continued to reside in Texas up to the time of his death in 1834. The committee are of opinion that as he came to Texas and evinced his intention of settling and remaining therein, and died without having received his head-right; that his heirs are entitled to one third of a league of land and have instructed me to report the accompanying bill and recommend its passage.

A bill for the relief of the heirs of Henry Applewhite; read first time.

Mr Scott, chairman of the committee on public lands, made the following report :

The committee to which was referred the "bill for the relief of the professional men of the city of Austin," have considered the same. The committee can see no beneficial results that will accrue to the State in making such an appropriation as contemplated by the bill out of the public monies, and therefore deem it inexpedient and impolitic to grant such privileges and make such appropriations to the few.

The committee would further recommend that the committee on public printing be instructed to request the proprietors of the Tri-Weekly newspapers to discontinue the publication of all matters foreign to the proceedings of the legislature, and unless the said sheets are furnished free from professional cards, legal advertisements and political discussions, the said committee are to threaten said proprietors with an entire discontinuance of the said sheets.

Mr Scott moved to suspend rule, and take up the report; the motion carried.

Mr Caldwell offered the following amendment :

Strike out the last two lines, and insert "said committee are authorized to notify them that the papers will be discontinued."

The amendment was adopted and the report as amended, also adopted.

Mr Taylor of Fannin, chairman of the committee on private land claims, no. 1, to which was referred the petition of Charles Gilchrist, reported a bill for his relief.

A bill for the relief of Charles Gilchrist; read first time.

Mr Taylor of Fannin, chairman of the same committee, made the following report :

The committee on private land claims, no. 1, have had under consideration the House bills for the relief of R. A. Powdrell, for 320 acres of land, E. M. Thomason, Richardson T. Barnett and John Clark, and a bill for the relief of C. M. Goolsby, all of which appear to be entitled to the bounties of land allowed, and indicated by the bills, by the action of the House of Representatives—therefore the committee recommend the passage of the bills.

The committee on private land claims, have considered the petition of C. R. Perry and that of Simon Cockrell, John Neil and Creed Taylor, asking for lands in consequence of wounds he received in defence of the country. The committee are of opinion that they have no jurisdiction over any matter other than in case where the party is or would be entitled to land under some law of Texas. The applicants claim to not be of that class. The committee therefore ask that the claims be referred to the committee on Public Lands.

Mr Grimes introduced a bill for the relief of the heirs of Samuel Sawyers dec'd.; read 1st and 2nd times and referred to the committee on Private Land Claims, no. 2.

Mr McCulloch introduced a bill to open the Auditorial Board for the benefit of persons holding claims against the late Republic of Texas for personal services; read 1st and 2nd times and referred to the committee on the Public Debt.

Mr McCulloch also introduced a bill for the relief of the heirs of Wilson J Riddle deceased; read 1st and 2nd times and referred to the committee on claims and accounts.

Mr Scott introduced a bill to amend the caption and first section of an act to incorporate the Texas Western Rail Road Company, approved Feb. 16th, 1855; read 1st and 2nd times and referred to the judiciary committee.

#### ORDERS OF THE DAY.

Mr. Grimes moved to take up the resolution of the House, referring to the appointment of a committee to examine into Penitentiary affairs—carried.

Mr. Taylor of Cass, moved to amend by striking out "five" and inserting "three," one from the Senate and two from the House, the amendment was adopted. Mr Palmer moved to lay the resolution on the table—lost.

Mr Palmer then offered the following amendment: add "And a like committee to examine the Galveston Canal and the Harrisburg and Houston Rail Roads—which on motion of Mr Russel was laid on the table.

Mr Guinn offered the following amendment: "Provided

said committee make said examination at their own expense."

Mr Palmer offered the following as a substitute: "And that said committee be provided with a private secretary, and have their traveling expenses advanced to them, but shall not be entitled to mileage"—adopted.

Mr Grimes moved to strike out "private secretary"—lost.

Mr Flanagan proposed as an amendment, "and that a caucus be held to elect a clerk."

On motion of Mr Grimes, the resolution and amendments were laid on the table.

On motion of Mr Bryan the bill for the improvement of the Rivers of the State was made the special order for to-morrow at 10 o'clock.

A message was received from the House, informing the Senate that the House had adopted the following resolution:

*Resolved*, That the Senate concurring, the House of Representatives will adjourn on Friday the 21st, until the 31st day of Dec. 1855.

On motion of Mr White, the report of the committee on the Private Land Claims, on the petition of Juan Delagado, was taken up and adopted.

The report of the committee on the Public Debt, on "A bill giving the assent of the State of Texas to an act to provide for the payment of such creditors of the late Republic of Texas as are comprehended in the act of Congress of Sept 9th, 1850, which was passed at the 2nd Session of the Thirty-third Congress of the United States, and approved Feb, 28th, 1855," reporting adversely to the bill, being the special order of the day was taken up.

On motion of Mr Palmer the report was laid on the table.

On motion of Mr Taylor of Fannin, the Senate adjourned until 3 o'clock, P. M.

3 o'clock P. M.

Senate met—roll called—quorum present.

The public debt bill being under consideration when the Senate adjourned, was taken up.

Mr Potter moved a call of the House. Absentees, Messrs. Burroughs and Hord.

Mr Pedigo presented the memorial of Elizabeth Browning; referred to the committee on private land claims, no. 1.

On motion of Mr Allen, the report of the judiciary committee on a bill to incorporate Milam Lodge No. 23 of I. O. O. F. was taken up, and bill ordered to be engrossed.

Mr Allen moved the suspension of the rule, carried, and bill read third times and passed unanimously.

Mr Allen, chairman of the committee on enrolled bills reported "a bill to create the 16th Judicial District," correctly enrolled, properly signed, and this day presented to the Governor.

Mr Wren moved to adjourn until 9 A. M. to-morrow—lost.

Mr Taylor of Cass, moved suspension of the call—carried.

Mr Scott introduced a "joint resolution on the subject of our public debt," as a substitute for the bill.

Mr Whitaker moved to lay the substitute on the table.

Mr Scott moved to lay both bill and substitute on the table.

On motion of Mr Wren the Senate adjourned till 9 A. M. to morrow.

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THURSDAY, December 20th, 1855.

The Senate was called to order by the President, pursuant to adjournment—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr Hill presented the petition of Anthon Lemcool and that of John Campbell; referred to the committee on Private Land Claims, No. 2.

Mr Burroughs presented the petition of sundry citizens of Jasper; referred to the committee on Internal Improvements.

Mr Potter, chairman of the Judiciary committee, to which was referred "a bill to amend the caption and first section of an act to incorporate the Texas Western Railroad company," approved February 16th, 1854; reported the same back, and recommended its passage.

Mr Potter, chairman of the same committee, made the following report:

"The Judiciary committee, to which was referred the petition of Isabella Wingate and John Collins, praying that the Commissioner of the General Land Office be authorized to issue to them as the heirs and legal representatives of Edward Wingate, patents to the lands located by virtue of certificate, No. 39, erroneously issued as alleged in said petition, in the name of Edward Wingate for one-third league of land, with the report thereon, by the committee on Private Land Claims, have considered the same, report them back to the Senate, and request to be discharged from the further consideration thereof.

Mr Caldwell, chairman of the committee on Indian affairs, made the following report:

The committee on Indian affairs, to which was referred a bill for the relief of Samuel Rowe, have considered the same, and from the evidence submitted, are satisfied that said Rowe has